

## **REMARKS**

### **Status of the Claims**

- Claims 1-15 and 17-18 are pending in the Application after entry of this amendment.
- Claims 1-18 are rejected by the Examiner.

### **Claim Rejections Pursuant to 35 U.S.C. §102**

Claims 1-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2005/0028107 to Gomes et al. (Gomes). Applicant respectfully traverses the rejection.

Applicant attaches a 37 CFR 1.131 affidavit that establishes a date of reduction to practice prior to the earliest effective filing date of Gomes. The date of reduction to practice established evinced by the attached affidavit is January 8, 2003. The earliest effective filing date of Games is July 30, 2003. Thus, Gomes fails to become prior art to the present invention.

Accordingly, Applicant respectfully submits that Gomes is disqualified as prior art to the present invention. Applicant respectfully requests reconsideration and withdrawal of the 35 USC §102(e) rejection of the pending claims.

### **Claim Rejections Pursuant to 35 U.S.C. §103**

Claims 5, 11, 12, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005/0028107 to Gomes et al. (Gomes) in view of Applicant provided document, "Microsoft, Tiptoe Through the ToolTips With Our All-Encompassing Tool Tip Programmer's Guide" (Microsoft TipToe Through). Applicant respectfully traverses the rejection.

As indicated above with respect to the attached 37 CFR §1.131 affidavit, Gomes is disqualified as prior art because a data of reduction to practice for the present invention is earlier than the earliest filing date of Gomes. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 USC §103(a) rejection of Claims 5, 11, 12, and 17.

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**PATENT  
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PROCEDURE PURSUANT TO  
37 CFR § 1.116**

**Conclusion**

In view of the above argument and attachment, Applicant respectfully requests withdrawal of the 35 U.S.C. §102(e) and 35 U.S.C. §103(a) rejections and requests reconsideration because the cited art is not prior art to the claimed invention.

Respectfully submitted,

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